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20 *Attorneys for Defendants*
21 *NewRez LLC and Ocwen Loan Servicing LLC,*
22 *predecessor by merger to PHH Mortgage Corporation*

23 **UNITED STATES DISTRICT COURT**

24 **EASTERN DISTRICT OF CALIFORNIA**

25 MANUEL A. MADRID JR. and
26 VIRGINIA J. MADRID

27 Plaintiffs,

28 v.

NEWREZ LLC; OCWEN LOAN
SERVICING LLC; and DOES 1-100,
inclusive

Defendants.

Case No.: 2:22-cv-00010-JAM-DB

Assigned to: Senior Judge John A. Mendez
Referred to: Magistrate Judge Deborah
Barnes

**STIPULATION TO DISMISS
ENTIRE MATTER WITH
PREJUDICE**

Action Filed: November 23, 2021
Removal Date: January 3, 2022
Trial Date: December 4, 2023

1 NOW COMES Plaintiffs Manuel A. Madrid Jr. and Virginia J. Madrid
2 (collectively, “Plaintiffs”), and Defendants NewRez LLC (“NewRez”) and Ocwen
3 Loan Servicing LLC, predecessor by merger to PHH Mortgage Corporation (“PHH”) (collectively, “Defendants”), by and through the undersigned counsel, and hereby
4 jointly move this Honorable Court for a dismissal of the instant matter in its entirety,
5 with prejudice pursuant to *Fed. R. Civ. P. 41(a)(1)(A)(ii)*, with each party to bear its
6 own attorneys’ fees and costs incurred.
7

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9 RESPECTUFLY SUBMITTED,

10
11 DATED: April 7, 2023

**THE LAW OFFICES OF DENNIS
RASMUSSEN**

12
13
14 By: /s/ Dennis Rasmussen
15 Dennis Rasmussen
16 *Attorneys for Plaintiffs*
17

18 DATED: April 7, 2023

WOMBLE BOND DICKINSON (US) LLP

19
20 By: /s/ David A. Berkley
21 David A. Berkley
22 Kristin Walker-Probst
23 *Attorneys for Defendants*
24
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange. I am over the age of eighteen years and not a party to the within entitled action; my business address is 400 Spectrum Center Drive, Suite 1700, Irvine, California, 92618.

On April 7, 2023, I served a copy of the foregoing document described as **STIPULATION TO DISMISS ENTIRE MATTER WITH PREJUDICE** on the interested parties in this action as follows:


Attorneys for Plaintiffs
Manuel A. Madrid Jr. and Virginia J. Madrid

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XX TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On April 7, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

XX FEDERAL: I declare under the penalty of perjury under the laws of the United States District Court that the foregoing is true and correct.

Executed on April 7, 2023, at Irvine, California.



Mary Koo

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4 **UNITED STATES DISTRICT COURT**
5 **EASTERN DISTRICT OF CALIFORNIA**
6

7 MANUEL A. MADRID JR. and
8 VIRGINIA J. MADRID

9 Plaintiffs,

10 v.

11 NEWREZ LLC; OCWEN LOAN
12 SERVICING LLC; and DOES 1-100,
13 inclusive

14 Defendants.
15
16

Case No.: 2:22-cv-00010-JAM-DB

Assigned to: Senior Judge John A. Mendez
Referred to: Magistrate Judge Deborah
Barnes

**ORDER RE: STIPULATION TO
DISMISS ENTIRE MATTER WITH
PREJUDICE**

Action Filed: November 23, 2021
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Trial Date: December 4, 2023

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18 The stipulation between Plaintiffs Manuel A. Madrid Jr. and Virginia J. Madrid
19 (collectively, "Plaintiffs") and Defendants NewRez LLC ("NewRez") and Ocwen
20 Loan Servicing LLC, predecessor by merger to PHH Mortgage Corporation ("PHH")
21 (collectively, "Defendants") to dismiss Plaintiffs' claims with prejudice is hereby
22 **APPROVED**. All parties shall bear its own attorneys' fees and costs incurred.
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24 Dated: April 07, 2023

/s/ John A. Mendez

25 THE HONORABLE JOHN A. MENDEZ
26 SENIOR UNITED STATES DISTRICT JUDGE
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